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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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7
8 UNITED STATES OF AMERICA,

NO. CR10-223-MJP

9 Plaintiff,

10 v.

11 DARRIN PATRICK KLAUER,

SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

12 Defendant.

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14 An initial hearing on a petition for violation of supervised release was held before the
15 undersigned Magistrate Judge on December 8, 2010. The United States was represented by
16 Assistant United States Attorney Stephen Hobbs, and the defendant by Lynn Hartfield.

17 The defendant had been charged and convicted of Credit Union Robbery, in violation
18 of 18 U.S.C. § 2113. On or about January 6, 2006, defendant was sentenced by the Honorable
19 Dale A. Kimball in the District of Utah, to a term of 46 months in custody, to be followed by
20 36 months of supervised release.

21 The conditions of supervised release included the requirements that the defendant
22 comply with all local, state, and federal laws, and with the standard conditions. Special
23 conditions imposed included, but were not limited to participate in a substance abuse program.

In a Petition for Warrant or Summons, dated November 15, 2010, U.S. Probation Officer Brian K. Facklam asserted the following violations by defendant of the conditions of his supervised release:

1. Using cocaine on or before October 27, 2010, in violation of standard condition No. 7.
2. Using cocaine on or before October 29, 2010, in violation of standard condition No. 7.
3. Failing to appear for drug testing on October 1, 13, and 26, 2010, in violation of special condition No. 1, ordering that he submit to drug testing as directed.
4. Failing to participate in a drug abuse program as directed, in violation of special condition No. 2, requiring that he do so.

The defendant was advised of his rights and admitted alleged violations 1, 2 and 3.

Defendant further admitted to violation 4 as amended:

4. Failed to participate in a drug abuse program as directed, in violation of special condition No. 2, requiring that he do so.

I therefore recommend that the Court find the defendant to have violated the terms and conditions of his supervised release as to violations 1, 2, 3 and 4, and that the Court conduct a hearing limited to disposition. A disposition hearing on these violations has been set before the Honorable Marsha J. Pechman on December 17, 2010 at 11:00 a.m.

Pending a final determination by the Court, the defendant has been released, subject to supervision.

DATED this 8th day of December, 2010.

James P. Donohue
JAMES P. DONOHUE
United States Magistrate Judge

1 cc: District Judge: Honorable Marsha J. Pechman
2 AUSA: Stephen Hobbs
3 Defendant's attorney: Lynn Hartfield
Probation officer: Brian K. Facklam